THE PROPOSALLS OF THE COMMITTEE

For Regulating the LAW, both in Sense, Form, and Practice; Communicated to publick view by especiall Order and Command.

WE the Commissioners of the grand and weighty business of Regulating the Law, have [illegible] paine in sitting all this while, with the assistance of a single-Sould Minister, have at last grown big of these high and weighty Articles, and desire to be delivered of them into the World for the publick applause and consent; for by them we hope to give a free interpretation of *Modern Justice*, and a strict account of the reformation of all sorts, [illegible] and practice of Courts, that by it the Commonwealth may be eased of the burthen of unknown charges [illegible] upon [illegible], and we richly rewarded for our [illegible] and [illegible] in so [illegible] and [illegible] a work.

Proposal 1. That whereas all the good Laws, Statutes, and Acts of Grace [illegible] Kingdom, have been derived clearly from Noble and Heroick Princes [illegible] Grant, and (until they shall be repealed by a Knack of [illegible]) are the sole eye and safety of humane Society, Trade, and Traffique; It is thought fit, That the charity and [illegible] former Kings to [illegible] People, be [illegible] nothing to the [illegible] State we now [illegible], and the famous Liberties, Properties, and [illegible] of their [illegible] Spirits [illegible]. And that it shall be thought [illegible] and Law both, [illegible] of *Parliament* [illegible] the Wall of *Magna Charta*, [illegible] in the middle of Lincoln-Inn-Fields, and in all Causes and [illegible] to be [illegible] Moderator.

2 That the Sword was the first inventer of Kings, and the present upholder of States and Parliaments; and therefore notwithstanding any right or equity to the contrary, the Sword is the best Lawgiver; and as it has attempted already to cut off the head of the Commonwealth, so it does require all the rest of the members to an obtervance of his command, be it never so unjust, inhumane, cruell, sacrilegious, or prophane.

3 That in all administration of modern Iustice, we may be no more bound to Conscience, than Conscience is to us: for let a man look over all the Anatomy of the Law-givers, it is impossible to conjecture in what part of that body Conscience lyes.

4 That the *Kings Bench Bar* be subservient to the High Court of Iustice, in regard the one has no power but meerly to distribute *Ius suum cuiq;* the candid censure of the Law between man and man, the other has a Sovereignty above Sovereigns.

5 That the Court of Iniquity, alias the Chancery (where a man may be suspended and demurd in his just right from generation to generation, by the power of the purse) may be judged no more by the *Keepers of the Liberties and privileges of England*, but rather to be taken in its true and genuine sence by the Preservers of the controversies and sins of the people; and whereas a man after the expence of 1000 pounds to bring his sute to a hearing, was used to be blown off with a non-assumption of the Engagement, they shall henceforth be allowed 20 shillings towards their costs and charges, and the half dozen Clerks dagled gowns scowred.

6 That that bloody and deadly Term *Murderavertunt* may be looked upon as a word in fashion, and because it concernes many of great quality, it is ordered, that it be alwaies written in *Capitall Letters*.

7 That as many as *Swornavertunt* themselves into the high stile of the Knights of the Post, are not a jot concerned in the Act of degrading late honours conferred, but this being an ancient order of Knighthood, and very ready at all times through the course of these ten years past to bestead the Commonwealth upon occasion, be it therefore confirmed by all the sinews of Law, that this Fraternity be upheld to perpetuity of ages.

8 That no *Asportamaventums* of causes shall henceforth be allowed; for suppose a man having but one poor *Corragium* in the world, have a sute depending *pro Cabagio, Anglicè*, a Cabbage, in *Michaelmas* Term, and withall a Iudgment and Execution, the Plaintiff must be constrained perhaps to wait a twelve-moneth for satisfaction, and to be paid in his own Coyn.

9 That

9 That it shall be held fit in a Circuit or Assize, though it become not a Judge *Itinerant*, with his bunch of gravity on his chin, to take bribes, yet it may be convenient that the price of a pair of gloves, called 40 peices, be deposed in his Clerks pocket to be presented to his Lordship the next morning when he goes to wash his hands, that like *Pilate* he might purifie himself to the world in formality and circumstance, as in the case of *Martin Sandy* and *Steynor*.

10 That all Attorneys of Courts errant, passant, or regardant, may no more run up their Clients with twelve-pence wet, and six-pence dry, besides Baytings, Breakfasts, Collations, and *Banbury* Cheeses; but that justice may run clear without proclivity or irregular buggering of a Countryman's purse, it is ordered *Cum Warranto* that the pettifogger shall require no more than his ten groats, and if so be the free-hearted Client tickle him under the short ribs with an ordinary of boyld beef at Fetter Lane end *gratis*, it shall be thought a considerable *Easementum* of expence, and no more to be extorted for expedition.

11 That all dashes whatsoever used in writing shall be held for a *Capitall Crime*, for under the notion of a *Counter stroke*, the *Law* and *Latin Cases* were so martyr'd that it puzzled the worshipfull the Judges (having forgotten their Grammer by long experience) to understand them, and therefore it is desired, that all words be written at length, and not in figures, for the conveniency of the Benchers.

12 That it may be thought reason, that the word *Villenagium* be utterly expunged out of the terms of the Law, since we are all free-men and no more slaves than they which row in the Turks Galleys.

13 That by the motion of Mr. *Peters* the Term *Simony* may be looked upon as convenient, if not lawfull, since the first day he begun to sell the Patronage of *Southwales*.

14 That the right heir at Law is he alone that is in possession, and as by the outing of the best tenure in *England*, we see it apparent, *inter arm a silent leges*, so whosoever he be that is born to an estate, unless he can derive his claim from the Engagement, he is no longer to be suffered by the Sheriff of the County to live in peace, till such time as he has run the gauntlop at Haberdashers Hall, and then he shall be freely manumitted.

15 That an under-Sheriff, a Jaylor, a Catch-pole, and Clerk of Assize being *Individuums in natura*, or *termini convertibiles*, shall no more be dashed in their reputation with the circumflex of a K. but rather to be considered as publique Officers which in this catch-

ing Age ought to have a little touch of *Macow Pacus* in all their performances.

16 That the Excize, notwithstanding there be no Law extant, or Conscience to warrant so sore an Imposition upon a Free-people, it may be thought *Jure divino*, because it enlarges the hawking-baggs of the Saints.

17 That no expedition be henceforth used in any Court, practice, or procedure, but rather all delayes and labyrinths to dwindle out a Bumpkins patrimony to the last thrid. That the puny Clerks may be prevented in the vein of their spending-mony, and the masters of Offices may be enriched with double Fees to the capacity of buying of Bishops Lands and Fee-farm rents; Besides the Law being just shaking hands with us, it is necessary we make the most of it while it is here.

18 That whereas a Country Solicitor, vampt up to the singularity of a vinegar cloak, and a green bag, is wont to dun the Offices with a pitifull importunity, more especially when his Novice is at hand to quicken him with a piece of four; it is desired he may make the benefit of a *fallacia signi* when the Term is ended, to keep his *Vnder-vamper* in Town to bear his charges untill the poor Fellow is compelled to pawn his Cloak in *Long lane* to carry him home, and then take his leave with a Philosophicall Bill of Charges at his back like an Indenture in Folio to bemoan his Lawship to his admiring friends.

19 That the term *Prerogative*, being a sequestrable Phrase, a malignant and dangerous word, full of Plots and Treasons, a word pray'd and preach'd against by many wel-wishing and confiding Divines and godly Souls of this Nation, may be laid aside, and charmd into the happy conversion of the Peoples Birth-right. And since the Representatives of the Plebeians have the managing of all Delinquent Incumbrances, Be it proposed to be enacted and made Law That all such Tyrannicall expressions, denominations, or Inventions be pocketted up, to raise the wages, salaries, stipendiaries or allowances of the aforesaid Representatives from this time forth for evermore.

20 That whereas *Meum* and *Tuum* have been the old Pronounes of distinguishing Titles and claims in this blind and ignorant patch of the World, in regard they are Latin, and so of grievous consequence to a *People new-lighted*, in respect of their alliance, relation, affinity, and consanguinity to the Pope, being their Countrey-man; Be it confirmed by a perpetuall Decree, That those words are no better

than

than Iesuits, and have nothing to doe with us in the decision of Rights of the new Modell.

21 That the thing call'd a King, a Title of Usurpation, to whom by compulsion and imminent necessity men of greatest rank, Nobility, and Professions took most formally the Oathes of Allegiance and Supremacy: because we that are wiser than our Fore-fathers know there is an inconvenience in having any one above us to call us to an account, or controll the liberty of our Concupiscence; *It is beseech'd*, that all *Britain*, of what tongue, language or speech soever, would be pleased to forget that obligation, and to acknowledge no Supremacy but in themselves.

22 That in all Contracts, Covenants, or Agreements, it shall be considerable for every man to have a mentall Reservation, or intricate meaning, that upon advantages we may turn weather-cocks, and adore those mighty and modern Deities, profit, and self-ends.

23 That all Records or Registers of Antiquity may be burnt and imbezzeld, for fear lest in reading and turning over those slighted and moth-eaten Papers, we may unwillingly be put in mind of a neglected and forgotten duty and obedience to Magistracy, Ministry, nay I had almost said Soveraignty.

24 That every Country fellow may have the privilege of Pleading his own Cause, meerly to humour the high shooes, notwithstanding we in our known Wisdom and Integrity shall give sentence according to our under-feeling and proper discretion.

25 That all Committee-men shall be held forth Saints at their Death, and be enthron'd in the Church Windowes at the charge of the Parish; because they have been most eminent Instruments in the Ingrossing and Monopolizing of all Church-Lands, Gleab and Tythes.

26 That there may be a Provinciall Pare-royall of Iudges selected for the determining of Sutes in the same Country where they first take breath; Alwayes provided, that if the partyes be rich, fat, and well liking, and of good credit in the Sheriffs books, and withall able to endure the heat of a *London* Tryall, That in such cases there must and ought to be a further appeal to our Palace at *Westminster*, where such differences are most peculiarly required to be decided with a wet finger.

27 That the Oath *ex Officio*, or an Injunction for a man to discover him-

himſelf againſt himſelf, has alwayes been held a moſt injurious Circumventing and unjuſt invention amongſt Grandees, (except in matters of Sequeſtration) it ſhall be lawfull henceforward for no man to unrip, untruſs, or divulge the leaſt ſyllable of his own privity or hidden knowledge of deludirg, deceiving, or couzening the Commonalty, againſt his own Conſcience.

28 That the damnable expenſive Fees of all Offices and Officers ſhall be brought to an *Abatementum*, and be left to the pleaſure of every mans heart to gratulate and requite his Truſtee; And ſo the Lawyers being brought into ſubjection to the mercy of the Bores and Swadds, they may not flaunt ſo ſtately in their *Pontificalibus*, being but publique ſervants, and a hickle of Animals, which breath by the iniquities of the Land.

29 That whereas Incontinence has been evermore held by the Antients a moſt decryed and puniſhable vice, and trick of youth in moſt Countries, it is conceived fit to be eſteemed veniall, and more pardonable in this cold clymate; and to permit all men of experienced activity the freedom of a Wife and an Intimate, for the fructifying of the Siſter-hood, and the enlargement of the number of the *Geneva* frie

30 That the old Proverb (*Change is no Robbery*) be put in practice in theſe modern times. And whereas the grievous and mighty tax called Shipmoney impoſed by the Royaliſts hath been eſteem'd Tyranny, Injuſtice, and Covetouſneſs: The eaſie and frivolous Seſs of 60000 lib. a Moneth loaded by the Reformed ſighers and groaners ſhall be conſtrued by all ſorts of pay-maſters a trifle, a piece of *Nothingneſs*, neceſſary to the ſupportation of the Armies, and other ſmall diſburſements, which do not amount to half the ſumme.

31 That whereas the taking up of Arms in former Ages againſt a Prince by his own Subjects, was by the Law found Treaſon; in reſpect that now we know he is but a man, obnoxious to death and mortality at pleaſure, it ſhall no longer be judged Treaſon, but Convenience; and that ſuch ought to be rewarded for it, under the notion of good ſervice and gallantry.

32 That whereas in Caſe of Manſlaughter, and other caſuall offences, men were allowed the benefit of their Clergy, it is granted neceſſary in this metamorpholis of things, that no man be put to his book again, for there is hardly one in a hundred can read his neck-verſe, and ſo many of the good Intenders to the weal-publique may incur the hazard of the hempen twiſt.

33 That

33 That all subsizing, Querpo, gyzzard Clerks, which farm a parcell of scribling at three pence a day, shall not be suffered henceforward to lay on their Fathers allowance, and their own lamentable revenue upon a suit of Cloathes, and a Horse Coller of Ribbands: for as it is even in the greatest order of the busling Gallants a most unseemly, ranting, loose, profusely, ugly garb, to be dressed about the hips like a Morris Dancer, and to have more variety of strange colours than good conditions, it is judged commendable both in State Policy and common civility to enact, That all such which are found whisling in such antick dresses, be accounted no better than W—Masters, Tooth-drawers, and Mountebanks, from this time forth for ever more.

34 That all Lawyers wives which have come sneaking into the Innes of Court, with their bagg and baggage, whether it be to be proficients in their husbands absence in the practice of fee tayle, or whether it be to convert those gallant edifices from a Nurlery of Law, to a Shambles of Laundry-women I know not, but is is requested to be voted, that all such presumptious whipsters, with their litter and lumber, reduce themselves either into Ram-Alley, Perpool-Lane, or Castle-Yard, more fit stages for such comicall subjects, than seminaries of learning, and there to set up for themselves, where only such kind of cattell are to be expected.

35 That the corruption of Courts has been a most horrid and crying criminall in this Nation, in that the poor have been overborn by the rich in a most high way, and all by intercession of the Lady *Pecunia*, a Gentlewoman much Idolized of late; It is therefore ordained, That no more money be produced to tempt the frailty of a Clerks conscience, but that every thing be carried in a round way between man and man, and by that time the Excise, Sequestration, Monthly Taxes, &c. have continued their reign over us one year more, be it accounted Treason for any Man whatsoever *to be able* to offer an Attorney, Solicitor, or Councell, more than his just fee, except it be a rasher of Bacon, to relish his mornings draught.

36 That there may be a distinction made between Clerks of the Childrens threes, and Stagers of the long twelves, men of the tribe of *Anack* in their profession, and typlers of the stock of *Benjamin*, whose Goose-quill fancyes were never elevated beyond the *Pernassus* of a green nogging in their Masters absence. It is therefore proposed that such nyffling fellows be distinguished by the childish wear of yallow Ribbands, from the Marshall Seniors with their fiery facies.

37 Item

37 Item, That all Indentures, Bills, Leases, Conveyances, and Bonds Obligatory, shall no more be dated from the year of our Lord God, nor the Coronation of the King, but *Stilo Novo*, from the first day of the eleventh moneth, in such a modell of the State Government, under the conduct of such a party.

38 Item, That all Impropriations, College-holds, Lapses, or Patronage of Church means, be all referred to a Jury of Saints to dispose of: because it is the patrimony of the elect in this world, and to sustain the indigency of the Spirit of talking.

39 That all right might be judged by the touch-stone of affection, and if so be the Plaintiff or Defendant cannot bring proof, that he is one of such a collected Church of the marching ministry, it is fitting he should be reprobated in Estate, as well as point of Salvation.

40 That no maried persons may justifie themselves by the old common Prayer Book, but he that means to be dabling with his Mistris now, must permit himself to be posted three severall Sundays upon the Church door, and when every Country-Hogo has spent his greazy jear upon him, then he must be examined by two justices of Peace upon Oath, whether he has his and her friends consent, and then if please the parties they may go to bed together without any further ceremony. *Qui aliter maritaverit perdit dotem.*

41 That the multiplicity of *Marriages* be reduced to nothing, and the *Marketa mulieris* be set up in their place, or rather the forfeiture of that money by the occupation of the Feminine feature by the three Articles of the Lord of the Mannor.

42 That the Lottery and the publick Faith may walk hand in hand together from Town to Town, to see if it be possible to inveigle any more silver Spoons or Bodkins into the Common or the Commons Treasury.

43 That it may be lawfull for any man to Exercize, Own, Preach about, or Practise any religion, heresie, or diabolicall Tenets; That the Law may be brought into six words, Do as thou would'st be done to, that Divinity may be made mercenary, and the fundamentalls of Church and Commonwealth laid wast and abolished; That one man may be as good a Gentleman as another, and for all these, *We beseech you to hear us great Lords.*

Sic Tetigi parvum quo mihi Cursus erat.

FINIS.